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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                         | CONFIRMATION NO.                   |
|--|-------------|----------------------|---|------------------------------------|
| 10/069,583   | 02/27/2002  | Jurgen Sienel        | Q68454                                      | 3868                               |
| <div>7590<br/>Sughrue Mion Zinn<br/>Macpeak &amp; Seas<br/>2100 Pennsylvania Avenue NW<br/>Washington, DC 20037-3213</div> |             |                      | <div>EXAMINER<br/>ARMSTRONG, ANGELA A</div> |                                    |
|  |             |                      | <div>ART UNIT<br/>2626</div>                | <div>PAPER NUMBER</div>            |
|  |             |                      | <div>MAIL DATE<br/>12/27/2007</div>         | <div>DELIVERY MODE<br/>PAPER</div> |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |  |                                      |  |
|------------------------------|--|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/069,583   | <b>Applicant(s)</b><br>SIENEL ET AL. |  |
|                              | <b>Examiner</b><br>Angela A. Armstrong | <b>Art Unit</b><br>2626              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Office Action is in response to Applicant's amendment filed October 9, 2007, adding new claims 11-14. Currently claims 1-14 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 11-14 rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the control and response signals to have both speech-recognition related parts and non-speech-related parts, does not reasonably provide enablement for speech-recognition related parts and non-speech related parts are simultaneously contained within the control signals and response signals. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

#### ***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Urs et al (US Patent No. 6,292,781).

4. Regarding claim 1, Urs discloses method and apparatus for facilitating distributed speech processing in a communication system, and provides support for a telecommunication system (Figure 3; col. 7, line 3 to col. 9, line 52) comprising a terminal, a switch and at least a part of an I-net comprising a memory for storing I-net information blocks at locations defined by I-net addresses, with at least parts of said I-net addresses being generated in response to control signals originating from said terminal (col. 7, lines 54-65), and with at least parts of said I-net information blocks being sent from said memory to said terminal in the form of response signals(col. 7, line 3 to col. 9, line 52), each of said control signals and said response signals comprising both speech recognition (user inputs voice commands or communication service requests) and non-speech recognition (keypress information from keypad 320) related parts (communication unit (102) requests communication services from the communication infrastructure (101) that support both voice and data communication and as such, the system of Urs reads on the detection and appropriate processing of speech and non-speech data in control and/or response signals, since the system of Urs specifically provides for processing both voice and data information in the communication signals transmitted to and from the user and the various components of the communication system with the voice and data path being utilized simultaneously by the communication unit when the wireless resource communication is shared); wherein said switch comprises a detector for detecting speech-recognition and non-speech-recognition related parts in said control signals and said response signals (col. 7, line 3 to col. 9, line 52), and a processor for, in response to a detection of said

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speech-recognition or non-speech recognition related parts, processing said control signals and said response signals (col. 7, lines 33-65—data connection and voice connection for detecting speech command, processing the user's request, and providing the requested information via the data connection ), said I-net comprising at least one of an intranet or Internet (col. 7, lines 54-65; col. 8, line 12-col. 9, line 52).

Regarding claim 2, Urs discloses wherein said processor, in response to a detection of a speech-recognition related part in said control signals, routes said speech-recognition related part to a server for converting said speech-recognition related part into an address signal destined for said memory (col. 7, line 54 to col. 8, line 11), and with said processing comprising, in response to a detection of a non-speech-recognition related part in a control signal, converts said non-speech-recognition related part into an address signal destined for said memory (col. 8, lines 12-41).

Regarding claim 3, Urs disclose the terminal comprises a preprocessing unit (316) for preprocessing speech-recognition related parts of said control signals, with said server comprises a final processing unit for final processing said preprocessed speech-recognition related parts (col. 8, line 42 to col. 9, line 7).

Regarding claim 4, Urs discloses wherein said processor, in response to a detection of a speech-recognition related part in a response signal, routes said speech-recognition related part to said server, and with said processing comprising, in response to a detection of a non-speech-recognition related part in said response signal, forwards said non-speech-recognition related part to said terminal (col. 7, line 3 to col. 9, line 52).

Regarding claims 5-10, claims 5-10 are similar in scope and content to claims 1-4 and are therefore rejected under similar rationale.

***Response to Arguments***

5. Applicant's arguments filed October 9, 2007, have been fully considered but they are not persuasive. Applicant argues Urs fails to teach or suggest that each control signal and each response signal comprises both a speech recognition related part and a non-speech recognition related part. The Examiner respectfully disagrees. Urs reads on the detection and appropriate processing of speech and non-speech data in control and/or response signals, since the system of Urs specifically provides for processing both voice and data information in the communication signals transmitted to and from the user and the various components of the communication system with the voice and data path being utilized simultaneously by the communication unit when the wireless resource communication is shared, wherein the system provides for both voice and data signals to be generated by the user as an input signal and provides for both voice and data to be transmitted back to the user in response to the user input. This allows for each control signal by the user to be able to provide both speech input via the speech recognizer and non-speech input via a keyboard/text input as well as each response signal to be able to provide a speech output via the speech synthesizer and a non-speech output via the display.

*Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

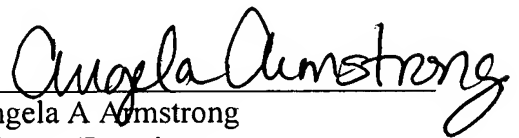
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Angela A. Armstrong  
Primary Examiner  
Art Unit 2626

AAA  
December 22, 2007